

CHAPTER 423
Reimbursement for Expenses of DUI and Other Traffic Incidents

423.01 Reimbursement for expenses of
DUI and other traffic incidents.

423.01 REIMBURSEMENT FOR EXPENSES OF DUI AND OTHER TRAFFIC INCIDENTS.

(a) Any person who is convicted of violating any of the following provisions shall be liable in a separate civil action for reasonable expenses incurred by the locality or by any volunteer rescue squad or fire company, or both, when providing an appropriate emergency response to any accident or incident related to such violation:

- (1) The provisions of Sections 18.2-51.4, 18.2-266, or 29.1-738 of the Code of Virginia, or a similar ordinance, when such operation of a motor vehicle, engine, train or watercraft while so impaired is the proximate cause of the accident or incident;
- (2) The provisions of Article 7 (Sections 46.2-852 et seq.) of Chapter 8 of Title 46.2 of the Code of Virginia, relating to reckless driving, when such reckless driving is the proximate cause of the accident or incident;
- (3) The provisions of Article 1 (Sections 46.2-300 et seq.) of Chapter 3 of Title 46.2 of the Code of Virginia, relating to driving without a license or driving with a suspended or revoked license; and
- (4) The provisions of Section 46.2-894 of the Code of Virginia, relating to improperly leaving the scene of an accident.

(b) Personal liability under this section for reasonable expenses of an appropriate emergency response shall not exceed one thousand dollars (\$1,000.00) in the aggregate for a particular accident or incident. In determining the "reasonable expenses," a flat fee of two hundred fifty dollars (\$250.00) or a minute-by-minute accounting of the actual costs incurred may be billed by the County, as it deems appropriate.

(c) As used in this section, "appropriate emergency response" includes all costs of providing law-enforcement, firefighting, rescue, and emergency medical services. The court may order as restitution the reasonable expenses incurred by the locality for firefighting, rescue and emergency medical services. The provisions of this section shall not preempt or limit any remedy available to the Commonwealth, the County, or any volunteer rescue squad or fire company to recover the reasonable expenses of an emergency response to an accident or incident not involving impaired driving, operation of a vehicle or other conduct as set forth herein.

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